

FLATHEAD COUNTY PLANNING AND ZONING OFFICE
LAKESIDE NORTH DISTRICT REPORT FZD-23-01
AUGUST 24, 2023

A report to the Flathead County Planning Board and Board of Commissioners regarding a new zoning district to be called the Lakeside North Zoning District. The proposed district would be generally located north of the unincorporated community of Lakeside along the Highway 93 corridor. The proposed zoning district would zone the area R-2.5 Rural Residential, R-1 Suburban Residential, R-2 One Family Limited Residential, R-3 One Family Residential, R-4 Two-Family Residential, R-5 Two Family Residential, and RR-1 Low Density Resort Residential.

Documents pertaining to the proposed zoning district are available for public inspection in the Flathead County Planning and Zoning Office, South Campus Building, 40 11th Street West in Kalispell. Prior to the Commissioner's public hearing, documents pertaining to the zoning district will also be available for public inspection in the Flathead County Clerk and Records Office, 800 South Main Street, in Kalispell.

I. APPLICATION REVIEW UPDATES

A. Land Use Advisory Committee/Council

The proposed land use is located within the advisory area of the Lakeside Community Council (LCC). The LCC will conduct a public hearing on the proposed zoning district on August 29, 2023, at 7:00 P.M. in the Lakeside QRU Community Room, located at 201 Bills Road, Lakeside, MT 59922. A recommendation from the LCC will be forwarded to the Flathead County Planning Board for their consideration.

B. Planning Board

The Flathead County Planning Board will conduct a public hearing on the proposed zoning district on September 13, 2023, in the 2nd Floor Conference Room, 1035 1st Ave West, Kalispell. A recommendation from the Planning Board will be forwarded to the County Commissioners for their consideration.

C. Commission

In accordance with Montana law, the Commissioners will also hold a public hearing on the proposed zoning district at a date and time yet to be determined.

I. GENERAL INFORMATION

A. Applicant/Petitioner

Applicant

Upper West Shore Alliance, Inc.
PO Box 82
Rollins, MT 59931

Technical Representative

Weinberg and Hromadka, PLCC
PO Box 652
Whitefish, MT 59937

B. Proposed Zoning District

The application is a request from the Upper West Shore Alliance for the creation of a new zoning district called Lakeside North. The total area of the request includes 449 parcels which total approximately 1,017 acres. The proposed area is currently not zoned except for Scenic Corridor zoning found along Highway 93. If the zoning district is created the Scenic Corridor will act as an overlay. The request proposes to zone approximately 395 acres to R-2.5, 322 acres to R-1, 41 acres to R-2, 68 acres to R-3, 18 acres to R-4, 30 acres to R-5, and 143 acres to RR-1.

Figure 1: Location and proposed zoning for the Lakeside North Zoning District

Map of Proposed Lakeside North Zoning District

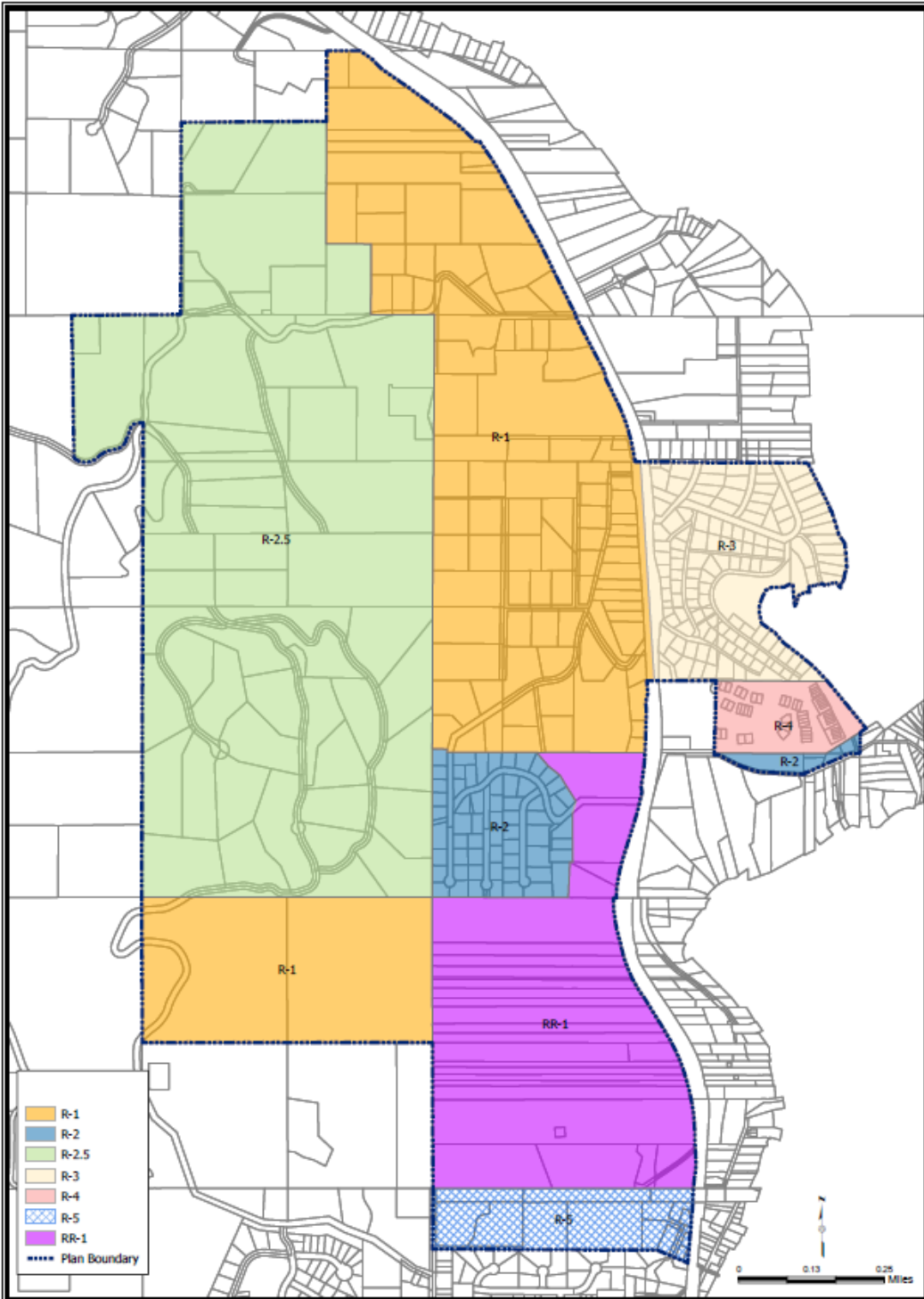
Flathead County, Montana



Flathead County
GIS Department

Map Production Date:
August 15, 2023

The areas depicted on these maps herein are for illustrative purposes only and do not necessarily meet mapping, surveying, or engineering standards. Deriving conclusions from this map is done at the user's assumed risk.



C. District Boundaries and General Character of Proposed Zoning

The boundaries of the proposed district could be described as:

Beginning at the northwest corner of COS 17319 in Section 35, Township 27 North, Range 21 West;

thence easterly along the north boundary of Government Lot 5 to the western right of way of Highway 93;

thence continuing southerly along the western right of way of Highway 93 to the north boundary of S 6, T26N, R20W;

And continuing along the westerly boundary of Highway 93 to the SE corner of COS 21665-2;

thence east to the NE corner of Lot 6 of Mission View Terrace as shown on Deed Exhibit 315 and the boundary of Flathead Lake;

thence southerly along Flathead Lake to the north boundary of Lot 1 of Whipps Point Caroline Villa Sites;

thence southwesterly along the north boundary of Lot 1 of Whipps Point Caroline Villa Sites to the east boundary of Gov't Lot 3 (S6, T26N, R20W);

thence south along the east boundary of Gov't Lot 3 (S6, T26N, R20W) to the NE corner of Gov't Lot 5 (S6, T26N, R20W);

thence west along the north boundary of Gov't Lot 5 to the northern right-of-way of Caroline Point Road;

thence southwesterly along the northern right-of-way of Caroline Point Road to the NW corner of Gov't Lot 5 (S6, T26N, R20W);

thence north to the south right-of-way of Shady Pines Lane;

thence west to the western right-of-way of Highway 93;

thence southerly along the western right-of-way of Highway 93 to the north boundary of S7, T26 N, R20W;

thence continuing along the western right-of-way of Highway 93 to the SE corner of Lot 5 of Montana Chautauqua;

thence northwesterly along the south boundary of Montana Chautauqua to the SW corner of COS 5637;

thence west to the center of Clothier Lane;

thence north to the SE corner of the NENE quarter of S12, T26N, R21W;

thence west to the SW corner of the NWNE quarter of S12, T26N, R21W;

thence north to the NW corner of the NWNE quarter of S12, T26N, R21W;

thence north along the center section line of S1, T26N, R21W to the intersection of Bear Mountain Road and Bear Canyon Road;

thence westerly along the centerline of Lineman Trail to the SW corner of COS 3259;

thence north to the north boundary of Gov't Lot 3 of S1, T26N, R21W;

thence easterly to the southwest corner of Section 35;

thence northerly along the section line to the NW corner of COS 20050-A (S 35, T27N, R21W);

thence east to the NE corner of the South Half of Government Lot 4 of Section 35, Township 27 North, Range 21 West ;

thence north to the point of beginning (See Figure 1 above).

The proposal is to zone an unzoned area near Lakeside encompassing roughly 1,000 acres concentrated around the Highway 93 corridor. Located north of the Lakeside

town center, a majority of the properties are privately owned and residential. Lots range in size from as small as 0.25 acres to as large as 40 acres.

D. Existing Zoning

Properties included within the proposal that are within a quarter mile from Highway 93 (both east and west) are zoned Scenic Corridor. Scenic Corridor regulates signage and cellular communication towers but otherwise contains no land use regulations. Scenic Corridor can act as a separate stand-alone district or as an overlay. All other properties included in the proposal are not zoned.

E. General Character of the Area

North: To the north, primarily along the Highway 93 corridor can be found a small swath of R-1, R-2, and Scenic Corridor zoning, any other land north is not zoned. The area is comprised of privately owned land, much of it undeveloped, with large tract residential properties west of the highway and smaller tract residential properties along the lakeshore.

South: To the south is found Lakeside - Special Commercial, R-2, SAG-10, and Scenic Corridor zoning. All zoning designations are located primarily along the Highway 93 corridor. Any other land is not zoned. The area is a mix of commercial and residential uses. Higher density, smaller, residential lots, and various businesses are concentrated around the Lakeside town center. Smaller residential lots are also found along the lakeshore.

East: To the east across Highway 93, properties are zoned R-1, R-2, and R-4. All other properties are not zoned. The land is privately owned and consists of denser, smaller, residential lots. Further to the east is Flathead Lake.

West: To the west, properties are not zoned. Closer to the proposed zoning district, properties are private, consisting of large residential or large undeveloped tracts. Further west the land becomes National Forest property.

F. Plan(s) Being Implemented

The proposed zoning district would be an implementation of the Flathead County Growth Policy and the Lakeside Neighborhood Plan; the Neighborhood Plan is an addendum to the Growth Policy. For discussion on the proposal's consistency with the applicable plans, please see Section III.B.i of this report.

G. Public Services and Facilities

Sewer:	Lakeside County Water & Sewer District and Wastewater Treatment Systems
Water:	Lakeside County Water & Sewer District and Wells
Electricity:	Flathead Electric Cooperative
Telephone:	CenturyTel
Schools:	Somers Elementary and Flathead High School District
Fire:	Somers Fire District
Police:	Flathead County Sheriff's Office

H. Criteria Used for Evaluation of Proposed Zoning District

The adoption of new zoning districts is processed in accordance with Section 2.08 of the Flathead County Zoning Regulations. The criteria for reviewing new zoning districts are found in 76-2-201 to 76-2-211, inclusive, M.C.A.

I. Compliance With Public Notice Requirements

Legal notice of the Planning Board public hearing on this application will be published in the August 27, 2023, edition of the Daily Interlake.

Public notice of the Board of County Commissioners' public hearing regarding the zoning district will be physically posted within the proposed zoning district according to statutory requirements found in Section 76-2-205 [M.C.A]. Notice will also be published once a week for two weeks prior to the public hearing in the legal section of the Daily Interlake. All methods of public notice will include information on the general character of the proposal, and the date, time, and location of the public hearing before the Flathead County Commissioners on the requested zoning district.

J. Agency Referrals

Referrals for comment on the proposed creation of the Lakeside North Zoning District were sent to the following agencies on July 20, 2023:

- Bonneville Power Administration
- Somers Fire District
- Flathead City-County Health Department; Environmental Health Services
- Flathead County Road and Bridge Department
- Flathead County Sheriff
- Flathead County Solid Waste District
- Flathead County Weeds and Parks Department
- Flathead High School District
- Somers Elementary School District
- Montana Department of Transportation
- Montana Fish Wildlife and Parks

II. COMMENTS RECEIVED

A. Public Comments

As of the date of the completion of this staff report no written comments have been received.

It is anticipated any member of the public wishing to provide comment on the proposed Lakeside North Zoning District will do so at either the Lakeside Community Council public hearing scheduled for August 29, 2023, at the Flathead County Planning Board public hearing scheduled for September 13, 2023, or at the Flathead County Commissioners public hearing scheduled for a time and date yet to be determined (notice will be made public). Any written comments received following the completion of this report will be provided to members of the Planning Board and Board of Commissioners and summarized during the public hearing.

B. Agency Comments

The following is a summarized list of agency comments received as of the date of the completion of this staff report:

- Flathead County City-County Health Department
 - Comment: *“No comments for the above request.”* Email received August 1, 2023.
- Flathead County Solid Waste District
 - Comment: *“The District requests all solid waste generated at the proposed location be hauled by a private hauler in this area. Their business phone number is 406-257-1739.”* Letter received July 26, 2023.
- Flathead County Road & Bridge Department
 - Comment: *“Thanks for the opportunity to comment on the above referenced request. Currently, we don’t have any comments on the proposal.”* Letter received July 25, 2023.

III. EVALUATION OF PROPOSED DISTRICT

A. Build-Out Analysis

Once a specific zoning designation is applied in a certain area certain land uses are permitted or conditionally permitted. A build-out analysis is performed to examine the maximum potential impacts of full build-out of those uses. The build-out analysis is typically done by looking at maximum densities, permitted uses, and demands on public services and facilities. Build-out analyses are objective and are not best or worst-case scenarios. Without a build-out analysis to establish a foundation of understanding, there is no way to estimate the meaning of the proposed change to neighbors, the environment, future demands for public services and facilities, and any of the evaluation criteria, such as the impact on transportation systems. Build-out analyses are simply establishing the meaning of the zoning district to the future of the community to allow for the best possible review.

The proposed area is currently not zoned. The following is a list of the proposed zoning designations and their Permitted and Conditional Uses.

i. ‘R-2.5 Rural Residential’

‘R-2.5 Rural Residential’ in Section 3.09.010 Flathead County Zoning Regulations (FCZR) is defined as, *“A district intended for rural, primarily residential areas where larger, estate-type lot sizes are appropriate and agricultural/silvicultural/horticultural operations are a decreasingly viable land use. The use of this district is appropriate in transition areas adjacent to and between higher-density Residential (R) and lower-density Suburban Agriculture (SAG) zones. This district is not appropriate in areas primarily surrounded by lower-density SAG and AG zones and/or areas adjacent to significant ongoing agricultural/silvicultural/horticultural and/or extractive industry operations. Furthermore, public facilities should be appropriately developed to accommodate the density and land uses of this designation. This includes paved roads. It is intended that no uses be permitted in this district that will tend to devalue property for residential purposes or interfere with the health, safety, order, or general welfare of persons residing therein.”*

The following is a list of permitted uses in an R-2.5 zone (Section 3.09.020 FCZR):

1. *Agricultural/horticultural/silvicultural use.*
2. *Class A manufactured home.*
3. *Daycare home.*
4. *Dwelling, single-family.*
5. *Dwelling unit, accessory (ADU).*
6. *Guest house.*
7. *Home occupation.*
8. *Homeowners park and/or beach.*
9. *Livestock.*
10. *Nursery, landscaping material.*
11. *Park and/or publicly owned recreation facility.*
12. *Produce stand.*
13. *Public transportation shelter station.*
14. *Public utility service installation.*
15. *Stable, private.*

The following uses are listed as conditional uses in an 'R-2.5' zone (Section 3.09.030 FCZR). An asterisk designates conditional uses that may be reviewed administratively. A double asterisk designates the conditional use may be reviewed administratively, but is limited to 8 or fewer:

1. *Airfield.*
2. *Aircraft hangar when in association with properties within or adjoining an airport/landing field.**
3. *Bed and breakfast establishment.*
4. *Camp/Retreat center.*
5. *Caretaker's facility.**
6. *Cellular communications tower (monopole only).*
7. *Cemetery, mausoleum, columbarium, crematorium.*
8. *Church.*
9. *Community center building operated by a non-profit agency.*
10. *Community residential facility.***
11. *Dwellings, cluster development.*
12. *Dwelling, family hardship.**
13. *Electrical distribution station.*
14. *Golf course.*
15. *Golf driving range.*
16. *Manufactured home.*
17. *Radio and television broadcast station.*
18. *School, primary and secondary.*
19. *Short term rental housing.*
20. *Stable, public.*
21. *Temporary building, structure, or use.**
22. *Water and sewage treatment plant.*
23. *Water storage facility.*

The bulk and dimensional standards for R-2.5 zoning require a setback for principal structures of 20 feet from the boundary line or right-of-way for the front, rear, side, and side corner. The minimum setback requirement for accessory

structures is 20 feet for the front and side corner and 5 feet for the rear and side. A 20-foot setback is required from streams, rivers, and unprotected lakes which do not serve as property boundaries. R-2.5 zoning requires a minimum lot area of 2.5 acres.

ii. 'R-1 Suburban Residential'

'R-1 Suburban Residential' in Section 3.10.010 FCZR is defined as, "A district to provide estate-type development. These areas would normally be located in rural areas away from concentrated urban development, typically not served by water or sewer services, or in areas where it is desirable to permit only low-density development (e.g., extreme topography, areas adjacent to floodplains, airport runway alignment extensions)".

The following is a list of permitted uses in an R-1 zone (Section 3.10.020 FCZR):

1. *Agricultural/horticultural/silvicultural use.*
2. *Class A manufactured home.*
3. *Day care home.*
4. *Dwelling, single-family.*
5. *Dwelling unit, accessory (ADU).*
6. *Guest house.*
7. *Home occupation.*
8. *Homeowners park and beaches.*
9. *Livestock.*
10. *Nursery, landscaping material.*
11. *Park and publicly owned recreational facility.*
12. *Produce stand.*
13. *Public transportation shelter station.*
14. *Public utility service installation.*
15. *Stable, private.*

The following uses are listed as conditional uses in an 'R-1' zone (Section 3.10.030 FCZR). An asterisk designates conditional uses that may be reviewed administratively. A double asterisk designates the conditional use may be reviewed administratively, but is limited to 8 or fewer:

1. *Airfield.*
2. *Aircraft hangars when in association with properties within or adjoining and airport/landing field.**
3. *Bed and breakfast establishment.*
4. *Camp/Retreat center.*
5. *Caretaker's facility.**
6. *Cellular communications tower (monopole only).*
7. *Cemetery, mausoleum, columbarium, crematorium.*
8. *Church and other place of worship.*
9. *Community center building operated by a non-profit agency.*
10. *Community residential facility.***
11. *Dwellings, cluster development.*
12. *Dwelling, family hardship.**
13. *Electrical distribution station.*
14. *Golf course.*

15. *Golf driving range.*
16. *Manufactured home park.*
17. *Radio and television broadcast station.*
18. *School, primary and secondary.*
19. *Short term rental housing.**
20. *Stable, public.*
21. *Temporary building, or use.**
22. *Water and sewage treatment plant.*
23. *Water storage facility.*

The bulk and dimensional standards for R-1 zoning require a setback for principal structures of 20 feet from the boundary line or right-of-way for the front, rear, side, and side corner. The minimum setback requirement for accessory structures is 20 feet for the front and side corner and 5 feet for the rear and side. There are also provisions for reduced setbacks for non-conforming lots when the width of the lot is less than 150 feet or 50 feet. A 20-foot setback is required from streams, rivers, and unprotected lakes which do not serve as property boundaries. R-1 zoning requires a minimum lot area of 1 acre.

iii. ‘R-2 One Family Limited Residential’

‘R-2 One Family Limited Residential’ in Section 3.11.010 FCZR is defined as, “*A district to provide for large-tract residential development. These areas will typically be found in suburban areas, generally served by either sewer or water lines.*”.

The following is a list of permitted uses in an R-2 zone (Section 3.11.020 FCZR):

1. *Class A manufactured home.*
2. *Day care home.*
3. *Dwelling, single-family.*
4. *Guest house.*
5. *Home occupation.*
6. *Homeowners park and beaches.*
7. *Park and publicly owned recreational facility.*
8. *Public transportation shelter station.*
9. *Public utility service installation.*

The following uses are listed as conditional uses in an ‘R-2’ zone (Section 3.11.030 FCZR). An asterisk designates conditional uses that may be reviewed administratively. A double asterisk designates the conditional use may be reviewed administratively, but is limited to 8 or fewer:

1. *Bed and breakfast establishment.*
2. *Cellular communications tower (monopole only).*
3. *Cemetery, mausoleum, columbarium, crematorium.*
4. *Church and other place of worship.*
5. *Community center building operated by a non-profit agency.*
6. *Community residential facility.***
7. *Dwellings, cluster development.*
8. *Dwelling, family hardship.**
9. *Dwelling unit, accessory (ADU).**

10. *Electrical distribution station.*
11. *Golf course.*
12. *Golf driving range.*
13. *Manufactured home park.*
14. *School, primary and secondary.*
15. *Short term rental housing.**
16. *Temporary building, structure, or use.**
17. *Water and sewage treatment plant.*
18. *Water storage facility.*

The bulk and dimensional standards for R-2 zoning require a setback for principal structures of 20 feet from the boundary line or right-of-way for the front, rear, and side corner and 10 feet from the side. The minimum setback requirement for accessory structures is 20 feet for the front and side corner and 5 feet for the rear and side. A 20-foot setback is required from streams, rivers, and unprotected lakes which do not serve as property boundaries. R-2 zoning requires a minimum lot area of 20,000 square feet.

iv. ‘R-3 One Family Residential’

‘R-3 One Family Residential’ in Section 3.12.010 is defined as, “A *district to provide adequate lot size for urban residential development; should have good thoroughfare access, and be in proximity to community and neighborhood facilities, i.e., schools, parks, shopping areas. This district will normally require all public utilities.*”

The following is a list of permitted uses in an R-3 zone (Section 3.12.020 FCZR):

1. *Class A manufactured home.*
2. *Day care home.*
3. *Dwelling, single-family.*
4. *Home occupation.*
5. *Homeowners park and beaches.*
6. *Park and publicly owned recreational facility.*
7. *Public transportation shelter station.*
8. *Public utility service installation.*

The following uses are listed as conditional uses in an ‘R-3’ zone (Section 3.12.030 FCZR). An asterisk designates conditional uses that may be reviewed administratively. A double asterisk designates the conditional use may be reviewed administratively, but is limited to 8 or fewer:

1. *Bed and breakfast establishment.*
2. *Cellular communications tower (monopole only).*
3. *Church and other place of worship.*
4. *Community center building operated by a non-profit agency.*
5. *Community residential facility.***
6. *Day care center.*
7. *Dwellings, cluster development.*
8. *Dwelling, family hardship.**
9. *Dwelling unit, accessory (ADU).**
10. *Electrical distribution station.*

11. *Golf course.*
12. *Golf driving range.*
13. *Manufactured home park.*
14. *School, primary and secondary.*
15. *Short term rental housing.**
16. *Temporary building, structure, or use.**
17. *Water storage facility.*

The bulk and dimensional standards for R-3 zoning require a setback for principal structures of 20 feet from the boundary line or right-of-way for the front, rear, and side corner and 10 feet from the side. The minimum setback requirement for accessory structures is 20 feet for the front and side corner and 5 feet for the rear and side. A 20-foot setback is required from streams, rivers, and unprotected lakes which do not serve as property boundaries. R-3 zoning requires a minimum lot area of 10,000 square feet.

v. ‘R-4 Two-Family Residential’

‘R-4 Two-Family Residential’ in Section 3.13.010 is defined as, “A *district to provide lot areas for urban residential development. Development within the district will require all public utilities and all community facilities. A duplex is allowed in this district.*”

The following is a list of permitted uses in an R-4 zone (Section 3.13.020 FCZR):

1. *Class A and Class B manufactured homes.*
2. *Day care home.*
3. *Dwelling, single-family.*
4. *Duplex.*
5. *Home occupation.*
6. *Homeowners park and beaches.*
7. *Park and publicly owned recreational facility.*
8. *Public transportation shelter station.*
9. *Public utility service installation.*

The following uses are listed as conditional uses in an ‘R-4’ zone (Section 3.13.030 FCZR). An asterisk designates conditional uses that may be reviewed administratively. A double asterisk designates the conditional use may be reviewed administratively, but is limited to 8 or fewer:

1. *Beauty Salon and Barbershop.*
2. *Bed and breakfast establishment.*
3. *Cellular communications tower (monopole only).*
4. *Church and other place of worship.*
5. *Community center building operated by a non-profit agency.*
6. *Community residential facility.***
7. *Day care center.*
8. *Dwellings, cluster development.*
9. *Dwelling unit, accessory (ADU).**
10. *Electrical distribution station.*
11. *Golf course.*
12. *Manufactured home park.*

13. *Mini-storage, RV storage.*
14. *School, primary and secondary.*
15. *Short term rental housing.**
16. *Temporary building, structure, or use.**
17. *Water storage facility.*

The bulk and dimensional standards for R-4 zoning require a setback for principal structures of 20 feet from the boundary line or right-of-way for the front, rear, and side corner and 5 feet from the side. The minimum setback requirement for accessory structures is 20 feet for the front and side corner and 5 feet for the rear and side. A 20-foot setback is required from streams, rivers, and unprotected lakes which do not serve as property boundaries. R-4 zoning requires a minimum lot area of 7,500 square feet for duplexes and other uses and 6,000 square feet for single-family dwellings.

vi. ‘R-5 Two-Family Residential’

‘R-5 Two-Family Residential’ in Section 3.14.010 is defined as, “*A residential district with minimum lot areas. Development within the district will require all public utilities, and all community facilities. A duplex is allowed in this district.*”

The following is a list of permitted uses in an R-5 zone (Section 3.14.020 FCZR):

1. *Class A and Class B manufactured homes.*
2. *Day care home.*
3. *Dwelling, single-family.*
4. *Duplex.*
5. *Home occupation.*
6. *Homeowners park and beaches.*
7. *Park and publicly owned recreational facility.*
8. *Public transportation shelter station.*
9. *Public utility service installation.*

The following uses are listed as conditional uses in an ‘R-5’ zone (Section 3.14.030 FCZR). An asterisk designates conditional uses that may be reviewed administratively. A double asterisk designates the conditional use may be reviewed administratively, but is limited to 8 or fewer:

1. *Beauty Salon and Barbershop.*
2. *Bed and breakfast establishment.*
3. *Cellular communications tower (monopole only).**
4. *Church and other place of worship.*
5. *Community center building operated by a non-profit agency.*
6. *Community residential facility.***
7. *Day care center.*
8. *Dwellings, cluster development.*
9. *Dwelling unit, accessory (ADU).**
10. *Electrical distribution station.*
11. *Golf course.*
12. *Manufactured home park.*
13. *Mini-storage, RV storage.*
14. *Recreational vehicle park/campground.*

15. *School, primary and secondary.*
16. *Short term rental housing. **
17. *Temporary building, structure, or use.**
18. *Water storage facility.*

The bulk and dimensional standards for R-5 zoning require a setback for principal structures of 20 feet from the boundary line or right-of-way for the front, rear, and side corner and 5 feet from the side. The minimum setback requirement for accessory structures is 20 feet for the front and side corner and 5 feet for the rear and side. A 20-foot setback is required from streams, rivers, and unprotected lakes which do not serve as property boundaries. R-5 zoning requires a minimum lot area of 5,400 square feet.

vii. ‘RR-1 Low Density Resort Residential’

‘RR-1 Low Density Resort Residential’ in Section 3.17.010 FCZR is defined as, “A *district to provide a low density setting for secondary residential resort development in proximity to the more densely developed areas of the County.*” The following is a list of permitted uses in the RR-1 zone (Section 3.17.020 FCZR):

1. *Bed and breakfast establishment.*
2. *Class A manufactured home.*
3. *Day care home.*
4. *Duplex.*
5. *Dwelling, multi-family (4 or fewer units).*
6. *Dwelling, single family.*
7. *Home occupation.*
8. *Park and publicly owned recreational facility.*
9. *Public utility service installation.*
10. *Short term rental housing.*
11. *Tourist accommodation units (4 or fewer units).*

The following uses are listed as conditional uses in an ‘RR-1’ zone. An asterisk designates conditional uses that may be reviewed administratively:

1. *Accessory apartments.*
2. *Boarding house.*
3. *Boat launching ramp and dock (commercial).*
4. *Caretaker’s facility.**
5. *Churches and other place of worship.*
6. *Community residential facilities, Class I.*
7. *Convention hall facility.*
8. *Day care center.*
9. *Dwellings, cluster development.*
10. *Dwelling, multi-family (5 or more units).*
11. *Golf course.*
12. *Guest house.*
13. *Health club.*
14. *Manufactured home park (5 acre minimum size).*
15. *Marina (commercial).*

16. *Professional offices.*
17. *School, primary and secondary.*
18. *Tourist accommodation units (5 or more units).*

The bulk and dimensional standards for RR-1 zoning require a setback for principal structures of 15 feet from the boundary line or right-of-way for the front, and side corner, 20 feet from the rear, and 10 feet from the side. The minimum setback requirement for accessory structures is 15 feet for the front and 6 feet for the rear, side, and side corner. A 20-foot setback is required from streams, rivers, and unprotected lakes which do not serve as property boundaries and an additional 25-foot setback is required from County collectors and MDT-maintained roads.

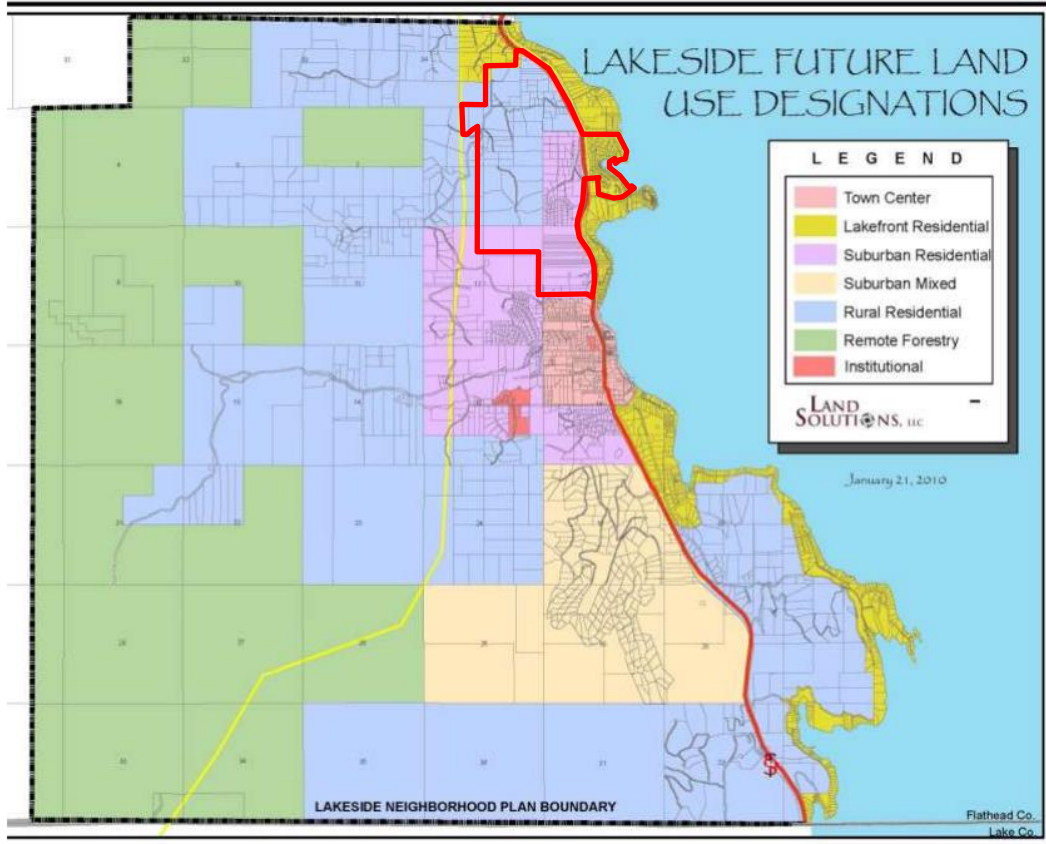
B. Review of Proposed Zoning District (76-2-203 M.C.A.)

i. Whether the proposed zoning regulations are made in accordance with the Growth Policy/Neighborhood Plan.

The Lakeside Neighborhood Plan adopted as Resolution No. 2274A, 12/01/2010 is an addendum to the Flathead County Growth Policy. As it is an addendum and the proposed district is found within the boundaries of the Neighborhood Plan, the zoning district is reviewed for compliance with the Neighborhood Plan in the following discussion.

The Lakeside Future Land Use Designations Map outlines the proposed area as: ‘Suburban Residential’, ‘Rural Residential’, and ‘Lakefront Residential’ (see Figure 2). The application describes how each desired zoning designation strictly complies with the Plan or deviates slightly when existing conditions affect what the Plan may have intended. Below is a discussion on the proposed zoning and compliance with the Future Land Use Designations Map.

Figure 2. Lakeside Future Land Use Designations (proposed area outlined in red).



Lakefront Residential Designation

The intent of the Lakefront Residential Designation in the Plan is stated as, *“This land use designation is intended to promote the traditional development pattern of single family structures and summer cabins in the lakefront area, while protecting lake water quality by discouraging high density, multi-family development along the water front...In order to protect the water quality of Flathead Lake, higher densities are only recommended in areas with sewer system availability and paved roads”*.

Recommended uses are listed as:

1. *Single family residential*
2. *Passive and active recreation*

Recommended densities:

Density ranges from 1 unit per 2.5 acres to 2 units per 1 acre

1. *Base underlying density is a maximum of 1 unit per 2.5 acres.*
2. *A maximum of 1 unit per 1 acre is achievable for non-water front lots with public or private sewer systems (not septic) and a paved road network.*
3. *A maximum of 2 units per 1 acre is achievable for water front lots in areas with public or private sewer systems and a paved road network.*

The district proposes R-2, R-3, and R-4 within land designated as ‘Lakefront Residential’. The area considered ‘Lakefront Residential’ includes the Mission View Terrace and the Cherry Hill Yacht Club neighborhoods. The minimum lot size within R-2 is 20,000 square feet, within R-3 10,000 square feet, and R-4 6,000 square feet for single-family dwellings and 7,500 square feet for duplexes and all other uses. Existing parcels average about a half-acre in size with smaller lots concentrated within the Cherry Hill Yacht Club. The zoning that is proposed conforms to what exists and conforms to the recommended densities of ‘Lakefront Residential’.

Existing parcels contain single-family homes in the Mission View Terrace neighborhood and condominiums are found in the Yacht Club area. The area is connected to Lakeside Water & Sewer and has paved roads. The proposed zones reflect what is desired within ‘Lakefront Residential’ because the uses are primarily single-family residential, public water and sewer connections exist, and there are paved roads.

Suburban Residential Designation

The intent of the Suburban Residential Designation in the Plan is stated as *“This designation recognizes the need within the Neighborhood area for suburban style development close to public services and facilities. It provides for connectivity between developments and arterial and collector roads, and serves as a buffer between the commercial and multi-family uses of the Town Center and the single family Rural Residential and Suburban Mixed Designations. This designation provides for higher densities, when feasible. Development is intended to utilize and/or expand existing infrastructure and occur in an orderly outward expansion from the Town Center. A small town atmosphere of community orientated single-family homes of varying values is desirable. Development is encouraged to blend into and complement the greater community”*.

Recommended uses are listed as:

- 1. Single family residential*
- 2. Multi-family residential possible in a PUD if area is zoned*
- 3. Passive and active recreation*
- 4. Public service facilities*
- 5. Small scale agriculture and livestock*

Recommended densities:

Density ranges from an average of 1 unit per 2.5 acres to 4 units per 1 acre

- 1. A maximum of 1 dwelling unit per 2.5 acres is the base underlining density. The intent is to maintain lot sizes large enough to facilitate future growth when infrastructure becomes available.*
- 2. A maximum density of 1 unit per 1 acre is achievable in areas with a paved road network.*

3. *A maximum density of 2 to 4 units per 1 acre is achievable in areas where public or private sewer systems are available, a paved road network is available, and few limiting factors are present. Access from an arterial or collector road should be available. This density is recommended to be closer to the Town Center but away from Highway 93.*

4. *Multi-family development could be considered with a PUD in zoned areas, located closer to the Town Center, but away from Highway 93.*

The district proposes R-1, R-2, R-5, and RR-1 within land designated as ‘Suburban Residential’. The area considered ‘Suburban Residential’ includes the Lakeview Park Estates and Hillside Homes neighborhoods, and then continues south towards the Lakeside town center. R-1 requires a 1-acre minimum lot size, while R-2 requires 20,000 square feet, R-5 5,400 square feet, and RR-1 a 1-acre district area minimum. Except for R-5, these zones reflect the density that ‘Suburban Residential’ recommends.

Although R-5 deviates from the recommended density, it is placed closest to the Lakeside town center. R-5 would allow for single-family and multi-family dwellings within walking distance of public amenities, would allow for the opportunity to connect to water and sewer, and is located close to Highway 93, making this placement a logical choice.

R-2 is placed over Lakeview Park Estates where existing lots are on average half an acre, conforming with the R-2 density. R-1 is placed over the Hillside Homes neighborhood and although some parcels are larger than 1 acre, to place a different zone there would create too many nonconforming lots. RR-1 is placed south of Lakeview Park Estates and reflects the density and uses, like property owners having multiple rental cabins, existing on the parcels. The proposed zones reflect the existing residential nature of the area and allow for a buffer between the higher-density Lakeside town center and the larger parcel, low-density area further west of Highway 93, conforming to the Suburban Residential designation.

Rural Residential Designation

The intent of the Rural Residential Designation in the Plan is stated as, *“This designation is intended to preserve the historical pattern of low density, single-family residences in the area between the Suburban Residential and the Remote Forest parcels. It supports mixed single family residential, small-scale agricultural, and small ranch activity. This area is currently heavily forested, has a limited road system, and few areas with public or central sewer and water systems reasonably available. Terrain challenges increase as the location moves up slope from the Town Center. A rural small-town atmosphere of single-family homes of varying values is desirable. Development is encouraged to be inclusive; to merge into and compliment the greater community”*.

Recommended uses are listed as:

1. *Single-Family Residential*
2. *Passive and active recreation*

3. *Small-scale agriculture and livestock*

4. *Forestry*

Recommended densities:

Density ranges from 1 unit per 10 acres to a maximum density of 1 unit per 5 acre

1. A maximum of 1 unit per 10 acres is the base underlining density.

2. A maximum of 1 unit per 5 acres is achievable in areas with a paved road network.

The district proposes R-2.5 and R-1 within land designated as ‘Rural Residential’. The area considered ‘Rural Residential’ includes the larger parcels further west of Highway 93, as well as the Bear Mountain Subdivision. These designations with minimum lot sizes of 2.5 acres and 1 acre, respectively, preserve the rural nature of the community and reflect the larger existing tracts in the area. The designations while being residential, also provide the flexibility for small-scale agricultural or forestry activities which is recommended in the ‘Rural Residential’ designation.

The proposed zoning district generally complies with the Lakeside Neighborhood Plan because it is consistent with the considerations and recommendations for setting density standards and uses in the Lakefront Residential, Suburban Residential, and Rural Residential designations.

Following is a consideration of goals and policies which appear to be applicable to the proposed zoning district, to determine if the proposal complies with the Neighborhood Plan:

❖ ***GOAL 1. Preserve the rural nature of the community north and south of downtown Lakeside along the Highway 93 Scenic Corridor.***

- Although the proposal contains some higher density zoning designations along the lakefront and where subdivisions currently exist, the proposal also calls for one acre and two-and-a-half acre minimums to the north and west, away from the town center. These larger parcels maintain the rural nature of the community. Additionally, the proposal encourages residential development and not commercial or industrial.

❖ ***GOAL 6. Maintain the quality of product and quality of service for water/sewer services.***

- *Policy 6.1. Discourage private septic systems where a central or public sewer system is available.*
- *Policy 6.2. Encourage the expansion of the LCWSD sewer services along Flathead Lake and eliminate septic systems to maintain water quality.*
- *Policy 6.3. Support local administration and operation of water/sewer systems.*

- *Policy 6.4. Encourage new development connections to Lakeside Water/Sewer systems or shared central systems where feasible.*
- ❖ **GOAL 7.** *Protect the water quality of the aquifer underlying the Lakeside Neighborhood and the water quality of the Lake.*
 - As previously mentioned, the proposal concentrates high-density zoning (R-2, R-3, R-4) where Lakeside Water & Sewer is currently available and along Highway 93 where the Water & Sewer District can one day expand. Encouraging connections to public services and reducing the number of individual wastewater treatment systems, protects the water quality of Flathead Lake.
- ❖ **GOAL 15.** *Maintain the small town feeling, family friendly atmosphere, views of mountains & Flathead Lake, and the scenic, rural character of the Lakeside Neighborhood.*
 - *Policy 15.1 – Encourage preservation of open space wherever feasible.*
 - *Policy 15.3. Higher densities are not encouraged in areas away from the town center that are inaccessible to public or centralized services.*
 - *Policy 15.4 – Lower densities are encouraged away from the town center where public or centralized services are inaccessible.*
 - *Policy 15.8 – Protect the scenic rural character and encourage protection of lake, mountain and forest views with appropriate building sizes and spacing, placement of structures, setbacks, and limitations on walls and fencing. Zoning is recognized as the effective means to implement such guidelines.*
- ❖ **GOAL 18.** *Protect the water quality of Flathead Lake*
 - *Policy 18.6. Encourage connection to the public sewer system.*
 - Zoning allows for specific minimum lot sizes, setbacks, and densities, creating an environment that contributes to the health and safety of the general public. The proposal places R-2.5, the least dense designation proposed, away from Highway 93 and keeps denser designations towards the highway and along the lakeshore.
 - *Policy 16.9. Discourage general commercial development outside the Town Center, especially along Highway 93.*
 - *Policy 16.12. Existing uses should be allowed to continue with grandfathered rights.*
 - As the proposed area is located outside of the Lakeside town center, no commercial development is proposed. The proposed zoning designations do not allow for commercial development. Any existing commercial development that will not comply with the proposed zoning, will be considered a legally, non-conforming use (“grandfathered”) and shall be allowed to continue operation. Non-

conforming use guidelines are outlined in Section 2.07 of FCZR.

- ❖ **GOAL 21.** *Improve community involvement in the development review and approval process so that it more effectively addresses the concerns of the Lakeside Community by involving the community in a community-wide zoning effort following county processes for zoning.*
 - *Policy 21.2. Promote understanding of the issues, guidelines, goals and policies in the Neighborhood Plan.*
- ❖ **GOAL 22.** – *Implement neighborhood-wide zoning.*
 - *Policy 22.1 - Implement or facilitate implementation of zoning. Implement this zoning in a coordinated Neighborhood wide project or, if that cannot be achieved, support individual zoning projects as areas express interest.*
- ❖ **GOAL 23.** *Encourage ongoing effective interaction between the Community, through the Community Council, and major land owners and government agencies regarding status and plans affecting the Lakeside Neighborhood.*
 - Community outreach efforts and workshops with the County’s Planning Board by the Upper West Shore Alliance were conducted prior to the submittal of the application. The Lakeside Community Council, Flathead County Planning Board, and the Board of County Commissioners will review this proposal and all hearings will be public, allowing for public input at all levels.

Finding #1: The proposed zoning district generally complies with the Lakeside Neighborhood Plan because applicable goals, policies, and text appear to generally support the request, the Lakeside Future Land Use Designations Map outlines the proposed area as ‘Suburban Residential’, ‘Rural Residential’, and ‘Lakefront Residential’ and the proposed zoning would generally match the Lakeside Future Land Use Designations Map.

ii. Whether the proposed zoning regulations are designed to:

a. Secure safety from fire and other dangers;

Zoning provides for greater predictability in land uses which allows service providers an apparatus by which to plan for protection needs in this specific area. Currently, there are no bulk and dimensional requirements. Unless an application is subject to subdivision review where conditions of approval can be enforced, structures may be built that are not readily accessible in the event of a fire emergency. In addition to a lack of maximum height requirements, the absence of zoning regulations results in no setback requirements and no lot coverage maximum. Adding lot coverage maximums and setbacks would serve to protect adjoining properties in the event of an emergency.

The proposed zoning district is located entirely within the Wildland Urban Interface (WUI) and within an Extreme Countywide Priority Area. However,

the area is located within the Somers Fire District with the exception of a few parcels under the proposed R-2.5 zoning along the district's western boundary. The Somers Fire Department currently responds and would continue to respond in the event of a fire or medical emergency. The nearest fire stations are located along Bills Road in Lakeside and along Somers Drive in Somers. Much of the area is mountainous, heavily forested, vegetated, and underbrush can be relatively thick.

Zoning ensures that future development will be regulated by minimum lot size restrictions, maximum lot coverage amounts, and that high density will not be permitted where it is not appropriate.

Finding #2 – The proposed zoning district is designed to secure safety from fire and other dangers because the bulk and dimensional standards in the proposed zones are intended to allow access to emergency services and will place future development densities where they are appropriate.

b. Promote public health, public safety, and general welfare;

Public health, public safety, and general welfare are promoted through the imposition of zoning due to the creation of minimum lot sizes, setbacks, height restrictions, and lot coverage requirements. Bulk and dimensional requirements ensure the adequate provision of light and air by requiring proper spacing which prevents overcrowding and allows emergency vehicles to access properties adequately. Zoning ensures inappropriate uses, like an industrial use within a residential neighborhood, cannot happen. Zoning allows for public input, public notification, and awareness of proposals occurring on neighboring properties through various procedures such as the Conditional Use Permit process. Currently, none of these safeguards exist in unzoned areas.

As discussed in the previous section, the area is located within the Wildland Urban Interface (WUI). However, a majority of the area to be zoned is located within the Somers Fire District. The Somers Fire Department currently responds and would continue to respond in the event of a fire or medical emergency. The nearest fire stations are located along Bills Road in Lakeside and along Somers Drive in Somers.

In instances of high-density development, which are likely to trigger Flathead County Subdivision Regulation requirements, impacts to offsite roadways could be mitigated through off-site roadway improvement criteria. Any subdivision of land, through either an exemption to the Montana Subdivision and Platting Act (such as family transfer) or review under the act, would be required to undergo review for compliance with the Sanitation in Subdivision Act, ensuring the protection of public health with regard to water, wastewater, and stormwater.

Finding #3 - The proposed zoning district is designed to promote public health, safety, and general welfare through the imposition of bulk and dimensional requirements and regulates growth by limiting densities and intensities of land uses within the Lakeside area.

c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

The purpose of zoning is to facilitate the adequate provision of transportation, schools, parks, emergency response, and other public services. Zoning also allows water and sewer service providers to anticipate demand and plan for future conveyance and treatment plant expansion. Zoning regulates growth on a property by defining parameters that can be used by public service providers. Without zoning, growth can go unchecked, and it is hard to quantify potential impacts to public services, transportation, and schools.

Highway 93, a State maintained road, as well as a County collector and multiple local roads, compromise the road network within Lakeside. The highest traffic volume is found along the Highway 93 corridor. Zoning will help future growth by considering impacts on the road network. Various applications besides subdivision, like conditional use permits or zone changes, require consideration of traffic generation throughout the review process. The review process would also allow agencies like the Montana Department of Transportation and the Flathead County Road and Bridge Department an opportunity to comment on proposals.

The entire zoning district is located within the Somers Elementary School District and the Flathead High School District. According to the Flathead County Superintendent of Schools *2022 Statistical Report of Schools* the Somers Elementary School District has seen no increase or decrease in student enrollment over the last ten years and a 1% decrease between the 2021 and 2022 school years. The Flathead High School District has seen an 11% increase in student enrollment over the last ten years and a 2% increase between the 2021 and 2022 school years. No comments were received from the school districts.

There are many parks, natural areas, and recreational opportunities within a short drive or located within the proposed zoning district; the proposal is not likely to affect the adequate provision of parkland.

Finding #4 – The proposed zoning district is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements because zoning review processes would consider traffic generation, public service providers and schools would have a manner to regulate growth and anticipate needs, and parks would not be affected by the proposed district.

Figure 3. Proposed Zoning with Sewer Overlay (Sewer Lines in Green)

Map of Proposed Lakeside North Zoning District with Sewer Overlay

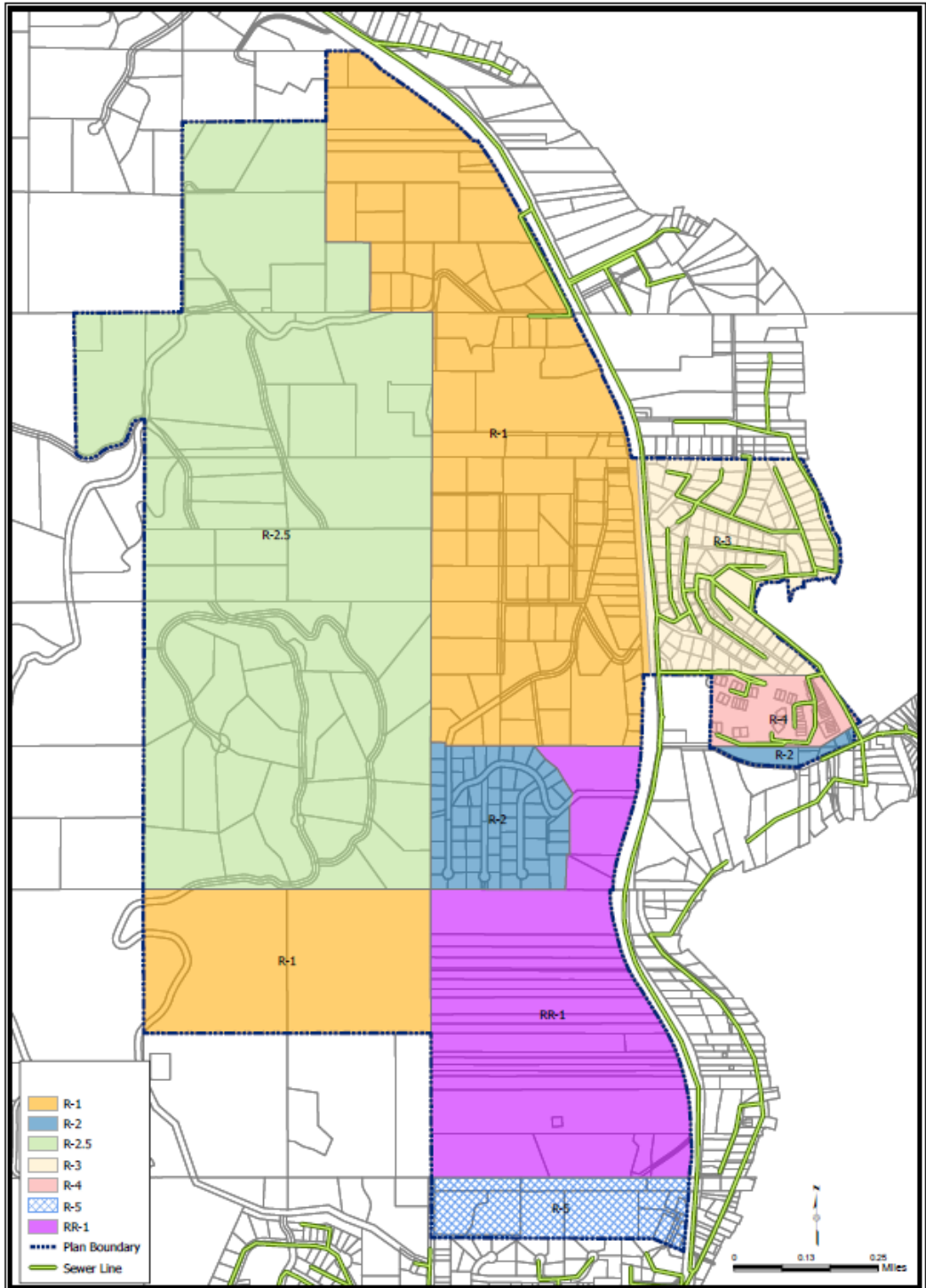
Flathead County, Montana



Flathead County
GIS Department

Map Production Date:
August 22, 2023

The areas depicted on these maps herein are for illustrative purposes only and do not necessarily meet mapping, cartographic, or engineering standards. Deriving conclusions from this map is done at the user's account of risk.



iii. In evaluating the proposed zoning regulations, consideration shall be given to:

a. The reasonable provision of adequate light and air;

Providing light and air in rural areas is often a function of impacts created by use and density. Separation of uses to ensure compatibility is one mechanism to provide for light and air. The bulk and dimensional requirements of the proposed zones facilitate the adequate provision of light and air by establishing minimum lot areas, minimum yard setbacks, maximum height requirements, and maximum lot coverage. Minimum lot areas and setbacks prevent the overcrowding of buildings.

Finding #5 – The proposed zoning district has given consideration to the reasonable provision of adequate light and air because requirements of minimum lot area, minimum yard setbacks, maximum heights, and maximum lot coverage contained in the proposed zoning are all designed to allow the flow of air and light.

b. The effect on motorized and non-motorized transportation systems;

As stated above, the Lakeside area has a road network that includes a State Highway, a County Collector called Blacktail Road, and various local roads. No comments were received from MDT and comment received from the Flathead County Road and Bridge Department indicates no concern with the proposal.

Limiting density in the area will likely have a positive effect on the existing transportation systems. Without zoning, the densities, intensities of land use, and the type of land use could change in a way that has negative impacts on the existing transportation system. As previously mentioned, conditional use permits or zone changes would be subject to traffic generation consideration and how it affects the road network.

Within the wider Lakeside area, the Flathead County Trails Plan Map shows Highway 93 as a proposed arterial trail, Cramer Creek Road as a proposed recreational trail, and Adams Street as a proposed connector trail. These trails are not yet constructed. It is unlikely that the non-motorized transportation system would be impacted by the proposed district.

Finding #6 – The proposed zoning district is not anticipated to have a negative effect on motorized and non-motorized transportation because the Road and Bridge Department does not have any concerns regarding this proposal, MDT did not provide comment, there is an already established road network, and zoning would ensure for the consideration of traffic generation impacts to the road network.

c. Compatible urban growth in the vicinity of cities and towns (that at a minimum must include the areas around municipalities);

Kalispell is the nearest municipality to the proposed district and the nearest city limits are located approximately 8 driving miles to the north. The proposal is located outside of Kalispell's Annexation Boundary and the Kalispell Growth Policy.

Finding #7 – The proposed zoning district would not have an impact on the urban growth in the vicinity of cities because the closest incorporated city, Kalispell, is located approximately 8 miles to the north of the proposed zoning district.

d. The character of the district(s) and its peculiar suitability for particular uses;

The proposed zoning district is relatively large, covering roughly 1,017 acres of the area north of Lakeside’s town center along the Highway 93 corridor.

There are 9 other zoning districts in the Lakeside area, they are listed below:

Zoning District Name	Acres	Use Districts	Year Created
Caroline Point	30 acres	R-2	1987
Conrad Point	280 acres	SAG-10, R-2	1990
Peaceful Bay II	60 acres	R-2	1992
Cherry Hills	7 acres	R-2	1993
Lakeside	352 acres	Various	2000
Spring Creek	262.58 acres	R-1	2007
Fish Hatchery	132.51 acres	R-1	2008
Old Highway 93 Shoreline	111.13 acres	R-2	2008
Lakeside Boulevard North	87.4 acres	R-2	2011

The district would include seven zoning classifications. The land uses are primarily residential, although smaller-scale agricultural uses will still be permitted in R-1 and R-2.5 zoning. The area is bordered by unzoned land and residential zoning. The character of the area is largely rural, although higher densities are concentrated along Highway 93 and the Flathead lakeshore. Larger, rural residential tracts are generally found west, away from Highway 93. The proposed zones generally match existing lot sizes and uses.

Based on the existing character of the district and the area around the district, the proposal would allow for uses that are suitable to the area. This review process ensures that land uses are suitable at a specific location and offers a significant level of public participation to determine if a proposed use will unacceptably alter the character of a district. This process helps to ensure that uses that are generally suited for the character of the overall district are in fact also suited for a particular property at the time and in the manner that they are proposed.

Finding #8 – The proposed zoning district has given consideration to the character of the district and its suitability of particular uses because the district would allow for uses that currently exist in and around Lakeside and under zoning various review processes could mitigate any potential uses that would not serve to protect the character of the district.

e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

The value of buildings is conserved by establishing a zoning district that offers predictability and certainty to landowners. In an unzoned area, there is no guarantee that an appropriate use will take place on an adjoining parcel. Where unzoned land appears to offer unlimited development free of minimum lot size requirements, environmental constraints and public service needs still must be evaluated. Zoning offers guidelines as to the number and type of dwellings or uses that could ultimately be developed, offering a measure of security that a developer or landowner will receive a reasonable return on the investment.

The proposal considers existing conditions and densities and places zoning designations where appropriate. For example, R-3 is proposed over the Mission View neighborhood. Mission View has existing lot sizes averaging half an acre, is connected to Lakeside Water & Sewer, and most lots contain a single-family home. R-3 has a minimum lot size of 10,000 square feet, typically requires connections to public utilities, and allows for residential uses which fit Mission View’s existing character. R-2.5 has been proposed west of the highway where larger parcels exist without connections to public utilities and where landowners can still have the flexibility to practice small scale agriculture or forestry.

Finding #9 – The proposed zoning district would conserve the value of buildings and encourage the most appropriate use of land because the proposed zoning use districts will allow for similar densities and uses that are already existing.

iv. Whether the proposed zoning regulations are, as nearly as possible, compatible with the zoning ordinances of nearby municipalities.

As previously mentioned, the City of Kalispell is the nearest municipality to the proposed district and the city limits are located approximately eight driving miles to the north. The property is located well outside of the City’s Annexation Boundary and Growth Policy.

Finding #10 – The proposed zoning district will not impact the compatibility of zoning ordinances of nearby municipalities because the closest incorporated city, Kalispell, is located approximately 8 miles from the subject property.

IV. SUMMARY OF FINDINGS

1. The proposed zoning district generally complies with the Lakeside Neighborhood Plan because applicable goals, policies, and text appear to generally support the request, the Lakeside Future Land Use Designations Map outlines the proposed area as ‘Suburban Residential’, ‘Rural Residential’, and ‘Lakefront Residential’ and the

proposed zoning would generally match the Lakeside Future Land Use Designations Map.

2. The proposed zoning district is designed to secure safety from fire and other dangers because the bulk and dimensional standards in the proposed zones are intended to allow access to emergency services and will place future development densities where they are appropriate.
3. The proposed zoning district is designed to promote public health, safety, and general welfare through the imposition of bulk and dimensional requirements and regulates growth by limiting densities and intensities of land uses within the Lakeside area.
4. The proposed zoning district is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements because zoning review processes would consider traffic generation, public service providers and schools would have a manner to regulate growth and anticipate needs, and parks would not be affected by the proposed district.
5. The proposed zoning district has given consideration to the reasonable provision of adequate light and air because requirements of minimum lot area, minimum yard setbacks, maximum heights, and maximum lot coverage contained in the proposed zoning are all designed to allow the flow of air and light.
6. The proposed zoning district is not anticipated to have a negative effect on motorized and non-motorized transportation because the Road and Bridge Department does not have any concerns regarding this proposal, MDT did not provide comment, there is an already established road network, and zoning would ensure for the consideration of traffic generation impacts to the road network.
7. The proposed zoning district would not have an impact on the urban growth in the vicinity of cities because the closest incorporated city, Kalispell, is located approximately 8 miles to the north of the proposed zoning district.
8. The proposed zoning district has given consideration to the character of the district and its suitability of particular uses because the district would allow for uses that currently exist in and around Lakeside and under zoning various review processes could mitigate any potential uses that would not serve to protect the character of the district.
9. The proposed zoning district would conserve the value of buildings and encourage the most appropriate use of land because the proposed zoning use districts will allow for similar densities and uses that are already existing.
10. The proposed zoning district will not impact the compatibility of zoning ordinances of nearby municipalities because the closest incorporated city, Kalispell, is located approximately 8 miles from the subject property.

V. SUMMARY

Per Section 2.08.020(4) of the Flathead County Zoning Regulations (FCZR), a review and evaluation by the staff of the Planning Board comparing the proposed new zoning district to the criteria for evaluation in Section 2.08.040 FCZR has found the proposal to

generally comply with most of the review criteria, based upon the draft Findings of Fact presented above. Section 2.08.040 does not require compliance with all criteria for evaluation, only that the Planning Board and County Commissioners should be guided by the criteria.

Planner: EKM/LVR